

Applicants : Betty A. Diamond and Bruce T. Volpe
Appn. No. : 10/574,994
Filing Date January 31, 2007
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REMARKS

By this amendment, the specification has been amended to replace the Sequence Listing and to add Sequence Listing identifiers (SEQ ID NOs). The amendments to the specification do not raise an issue of new matter. Accordingly, entry of the amendments is respectfully requested.

The June 3, 2009 Notice indicated that the previously submitted Sequence Listing failed to include the sequence "MAPDWEYS." This sequence has been included in the substitute Sequence Listing attached hereto.


The content of the substitute Sequence Listing information recorded in computer readable form filed herewith on floppy disk is identical to the paper copy of the substitute Sequence Listing (2 pages) filed herewith, and includes no new matter, as required by 37 C.F.R. §1.821(e), §1.821(f), §1.821(g), §1.825(b) or §1.825(d).

No fee is deemed necessary in connection with the filing of this amendment. However, if a fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 01-1785.

Respectfully submitted,

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Dated: June 17, 2009
New York, New York

By 
Alan D. Miller, Reg. No. 42,889



Notice to Comply

Application No.
10574994

Applicant(s)
DIAMOND ET AL.

Examiner
RONALD T. NIEBAUER

Art Unit
1654

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: On 12/5/08 applicants submitted a sequence listing with one sequence - a five amino acid peptide. However, the specification includes an 8 amino acid peptide encompassed by the sequence rules as well (i.e. MAPDWEYS on page 8 line 1 and figure 1). No computer readable form or paper copy of the sequence MAPDWEYS has been submitted.

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (571) 272-0731 or (571) 272-0951

For CRF Submission Help, call (571) 272-2510

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Technical Assistance. 1-866-217-9197 or 703-305-3028 or 571-272-6845

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PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY

/Ronald T Niebauer/ Examiner, Art Unit 1654	
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